

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:

IN RE: JEAN A. DEGUTIS,

Debtor.

CHAPTER 13
CASE NO. 16-11692-FJB

**ASSENTED TO MOTION TO CONTINUE HEARING ON WEBSTER
BANK, N.A.'S MOTION TO DISMISS**

Webster Bank, N.A. (the "Bank") and Jean A. DeGutis (the "Debtor"), through their undersigned counsel, jointly move this Court for an Order continuing the Motion to Dismiss Hearing scheduled for September 29, 2016. As grounds for this Motion, the Bank and Debtor (the "Parties") state as follows:

1. On September 8, 2016, the Court scheduled a non-evidentiary hearing for September 29, 2016 to consider the Bank's Motion to Dismiss.
2. On September 8, 2016, the Court held a hearing on the Bank's Objection to the Debtor's Chapter 13 Plan ("Objection Hearing"). At the Objection Hearing, the Court directed the Debtor to file an Amended Plan and Motion to Approve an Amended Plan on or before October 10, 2016 (the "Amended Plan").
3. On September 19, 2016, the Bank's counsel conferred via e-mail with the Debtor's counsel regarding the Debtor's assent to a continuance of the Motion to Dismiss Hearing in light of the Debtor's need to file an Amended Plan and the Bank's request for further documentation from the Debtor regarding: (1) payment of the Debtor's quarterly real estate taxes; (2) the Debtor's filed income tax returns; (3) documentation evidencing the annuity/insurance policy

naming the Debtor as a beneficiary; and (4) records, spreadsheets, ledgers, or the like concerning the breakdown of income from the Debtor's operation of the equestrian farm.

4. The Debtor has not yet filed an Amended Plan and is in the process of obtaining the information requested by the Bank.

5. With the assent of the Debtor, the Bank seeks a continuance of the Motion to Dismiss Hearing until October 27, 2016 or the next available date thereafter that is convenient for the Court.

WHEREFORE, the Parties respectfully request that the Court enter an Order continuing the Motion to Dismiss Hearing until Thursday, October 27, 2016 or a date thereafter that is convenient for the Court.

Respectfully submitted,

WEBSTER BANK, N.A.

By Its Attorneys,

/s/ Anthony R. Leone

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Assented to:

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By her Attorney,

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DATED: September 21, 2016

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:

IN RE: JEAN A. DEGUTIS,

Debtor.

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CERTIFICATE OF SERVICE

I, Anthony R. Leone, hereby certify that on the 21st day of September, 2016, a copy of *Assented To Motion to Continue Hearing on Webster Bank, N.A.'s Motion to Dismiss* was served through the Court's electronic filing system on all parties registered to receive electronic notice and the following parties by first class mail listed on the attached Service List:

/s/ Anthony R. Leone

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****served by electronic transmission***